

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Akihiko NISHIO, et al. Art Unit: 2617
Application No.: 10/550,557 Examiner: W. Cumming
Filed: September 23, 2005 Conf. No.: 1885
For: BASE STATION APPARATUS AND COMMUNICATION
METHOD

REQUEST FOR NEW OFFICE ACTION AND
RESETTING OF RESPONSE PERIOD

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

The Office Action of June 9, 2008, asserted a rejection in Section 8 without properly identifying the art relied upon.

Specifically, Section 8 refers to "Boudreau et al." and "Hara et al.," but nowhere does the office action further identify the references. It is noted that there are non-patent literature references of record to "Boudreau et al." and "Hara et al.," but it is ambiguous whether these are the same references to which reference is made in the present office action.

Accordingly, a new office action properly identifying the art being relied upon in Section 8 is respectfully requested, along with resetting of the response period.

Respectfully submitted,

/James Edward Ledbetter/

Date: July 21, 2008

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JEL/jcw

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